IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.126 OF 2006
IN
APPEAL (L) NO.1254 OF 2005
IN
NOTICE OF MOTION NO.1525 OF 2002
IN
SUIT NO.1715 OF 2002

Prof. H.C. Patel
& Ors. ..Appellants.

Vs.

Shri Kaushik S. Desai
& Anr. ..Respondents.

Ms.J.A.Sarkhot i/b.Mr.R.V.Govilkar for the Applicant.

Mr.Birendra Saraf i/b.M/s.Dhruve Liladhar & Co. for the Respondent No.2.

CORAM: DR.S.RADHAKRISHNAN AND S.J.VAZIFDAR, JJ.

DATED: 7TH MARCH, 2006

P.C. :

Heard learned counsel for the Appellant and the learned counsel for Respondent No.2. The learned counsel for the Appellant stated that Respondent No.1 has been duly served and she undertakes to file her affidavit in service in that behalf. The learned counsel for Respondent No.2 is present.

2. The learned counsel for the Appellant seeks leave to delete the name of Appellant No.3 since Appellant

No.3 had died. The name of Appellant No.3 stands deleted at the risk of the Appellant.

3. For the reasons stated in affidavit in support of the Chamber Summons, Chamber Summons is made absolute in terms of prayers (a) and (b).

(DR.S.RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)